

November 19, 2010

Isolite Corporation
ATTN: Mr. Erik S. Smith
3663 Sueldo Suite M
San Luis Obispo, CA 93401

SUBJECT: REQUEST FROM TRITIUM EXIT SIGN VENDORS PROCEDURE/GUIDANCE DOCUMENTS USED FOR COLLECTION OF INFORMATION AND COMPILING COMPLETE AND ACCURATE INITIAL DEVICE TRANSFER REPORTS

Dear Mr. Smith:

The purpose of this letter is to request procedure/guidance documents used for collection of information and compiling accurate and complete initial quarterly or yearly general licensed devices transfer reports.

BACKGROUND

The U.S. Nuclear Regulatory Commission (NRC) regulations in Title 10 of the *Code of Federal Regulations* (10 CFR) 32.52 and 32.53 require that each person licensed under 10 CFR 32.15 or 32.53 who initially transfers generally licensed devices, such as self illuminating tritium exit signs, periodically report certain device-related information to the NRC.

This information that you must provide includes, but is not limited to:

- The identity of each person, company or other recipient (general licensee) to whom you have transferred a generally licensed device. You must identify the general licensee by name and mailing address for the location of use.
- The name, title and telephone number of the person identified by the general licensee as having knowledge of the appropriate regulations and requirements and authority to take required actions to ensure compliance with the appropriate regulations and requirements.
- The name and contact information of the individual appointed by the general licensee, who is responsible for ensuring compliance with the appropriate regulations and requirements.

The reporting of this information is one of the critical elements of tritium exit sign control and accountability. The NRC has emphasized this with the issuance of Information Notice (IN) 87-37, "Compliance with the General License Provisions of 10 CFR Part 31," dated August 10, 1987¹. This IN alerted vendors that the NRC staff found some vendors' material transfer reports did not contain correct or complete information on the name and full addresses of the general licensees. To improve the quality of these reports, the NRC recommended by IN 87-37 that the

¹ Available at <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/info-notices/1987/in87037.html>

vendors provide more detailed information on general licenses and the products distributed in their quarterly or yearly reports to the NRC.

In the recent past, NRC has noted an overall improvement in the transfer reports submitted by the vendors. However, some of these device transfer reports continue to be incomplete or lack the correct name and full address of a general licensee or licensees. Also, these reports continue to not list the name, title, and telephone number of the contact person that the general licensee is required to appoint. The regulations require that the contact person have the appropriate knowledge of applicable regulations and requirements, along with the authority to take required actions to ensure compliance with appropriate regulations and requirements. Some vendors, however, appear to provide contact information for an individual affiliated with the general licensee who has no meaningful authority to take actions to ensure compliance with NRC regulations (for example, a general licensee's purchasing agent located at headquarters).

DISCUSSION

To rectify the issues described above, the NRC reiterates the need to include the required information in your quarterly or yearly general licensed device transfer reports in accordance with 10 CFR 32.52(a)(1) or equivalent Agreement State regulations for general licensed devices that you have initially transferred, including tritium exit signs. The required information includes:

- Accurate and complete identity information for each general license, with the correct name and mailing address for the location of use;
- The name, title, and telephone number of the person appointed by the general licensee as having appropriate knowledge of regulations and requirements and authority to take required actions to ensure compliance with the appropriate regulations and requirements.

The preceding highlights specific areas that NRC has identified as needing improvement. Therefore, NRC expects you to take immediate steps for improving and sustaining quality of your generally licensed device transfer reporting data in these areas.

Additionally, please provide to the NRC (and your regulatory Agreement State if appropriate) within 30 days of the date of this letter, any written guidance or procedures that your organization uses or will implement to ensure consistency in dissemination of information to your prospective general licensee and to fulfill the devices transfer reporting requirements of 10 CFR Part 32.

E. Smith

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If you have any questions, please contact Ujagar Bhachu of my staff at 301-415-7894.

Sincerely,

/RA/

James G. Luehman, Deputy Director
Division of Materials Safety
and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

cc: Gary Butner
CA Department of Health Services

E. Smith

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Sincerely,

James G. Luehman, Deputy Director
Division of Materials Safety
and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

cc: Gary Butner
CA Department of Health Services

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MSSA r/f D. White, FSME

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***See previous concurrence**

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|---------------|----------------|--------------|---------------------|---------------|
| OFFICE | FSME/LB | FSME/LB | OGC* | FSME/DMSSA |
| NAME | Ujagar Bhachu* | Jack Foster* | M. Clark NLO | James Luehman |
| DATE | 11/4/2010 | 11/4/2010 | 11/16/2010 | 11/19/2010 |

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